

Memorandum of Agreement

Between the Superintendent of the Chittenango Central School District
And The Chittenango Teachers' Association

November 2011

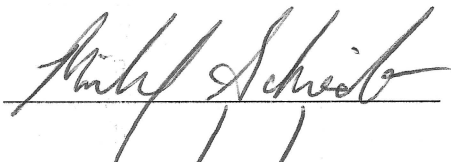
Pursuant to §3012-c of the Education Law, it is hereby agreed that the district will implement a pilot of the agreed upon Annual Professional Performance Review (A.P.P.R.) plan. In concurrence with the law, teachers of ELA and Math, grades 4-8, will be evaluated under all of the required components of the proposed A.P.P.R. during the 2011-2012 academic year. Classroom teachers in other subject areas and/or grade levels will be evaluated only upon the multiple measures of effectiveness (classroom observations) portion of the A.P.P.R. Non-teaching professionals will continue to be evaluated under the current provisions of the 2010-2013 Collective Bargaining Agreement until collective bargaining for those areas has been concluded.

It is further understood that professionals evaluated under the A.P.P.R. pilot shall be held harmless of these evaluation results and that employment decisions will not be made on the basis of discoveries resulting from the implementation of the A.P.P.R. pilot. It is further understood that the district may continue to utilize the current provisions of the 2010-2013 Collective Bargaining Agreement for professional evaluation in order to make employment determinations.


As the implementation of the pilot evaluation program proceeds, the district and the association agree to continue bargaining in good faith as the need for revisions to this plan may arise.

AGREED

For the District:


Date: 11/22/11

For the Association:


Date: 11/22/11

Chittenango Central School District
Annual Professional Performance Review Plan (APPR)

July 1, 2011 – June 30, 2012

Introduction

On May 28, 2010, the Governor signed Chapter 103 of the Laws of 2010, which added a new section 3012-c to the Education Law, establishing a comprehensive evaluation system for classroom teachers and building principals.

By September 1, 2011, the governing body of each school district and BOCES shall adopt a plan, which may be an annual or multi-year plan, for the annual professional performance review of its teachers providing instructional services or pupil personnel services.

The superintendent, in collaboration with a joint committee of professional staff members and administrators, developed this professional performance review plan. The members of the committee included three teachers selected by the teacher's association president, three teachers and two administrators selected by the Superintendent of Schools, the association president and the Assistant Superintendent for Instruction. Once approved by the Board of Education of the school district, the plan will be filed in the district office and posted to the district website no later than September 10th of each year. If work on the development of the plan needs to continue after September 10th, revisions to the plan will be posted as approved by the Board of Education.

The Board of Education shall ensure that the performance of all teachers providing instructional services or pupil personnel services is reviewed annually.

For the 2011-2012 school year, this APPR plan only applies to classroom teachers of the common branch subjects, English language arts or mathematics in grades 4-8.

Teacher Evaluation

New York Teaching Standards

The professional performance review plan for teachers is based on the *New York State Teaching Standards* (see appendix for complete set of *Teaching Standards* and the accompanying performance indicators). These, therefore, are the criteria that will be used to evaluate teachers:

- **Knowledge of Students and Student Learning:** Teachers acquire knowledge of each student, and demonstrate knowledge of student development and learning to promote achievement for all students.
- **Knowledge of Content and Instructional Planning:** Teachers know the content they are responsible for teaching, and plan instruction that ensures growth and achievement for all students.
- **Instructional Practice:** Teachers implement instruction that engages and challenges all students to meet or exceed the learning standards.
- **Learning Environment:** Teachers work with all students to create a dynamic learning environment that supports achievement and growth.
- **Assessment for Student Learning:** Teachers use multiple measures to assess and document student growth, evaluate instructional effectiveness, and modify instruction. This includes assessment techniques based on appropriate learning standards designed to measure students' progress in learning and that he or she successfully utilizes analysis of available student performance data (for example: State test results, student work, school-developed assessments, teacher-developed assessments, etc.) and other relevant information (for example: documented health or nutrition needs, or other student characteristics affecting learning) when providing instruction
- **Professional Responsibilities and Collaboration:** Teachers demonstrate professional responsibility and engage relevant stakeholders to maximize student growth, development, and learning. This includes the development of effective collaborative relationships with students, parents or caregivers, as needed, and appropriate support personnel to meet the learning needs of students; and
- **Professional Growth:** Teachers set informed goals and strive for continuous professional growth.

Teacher Effectiveness

Annual professional performance reviews shall differentiate teacher effectiveness using a composite effectiveness score. Based on such a composite effectiveness score a classroom teacher shall be rated as Highly Effective, Effective, Developing, or Ineffective. The composite score is determined as follows: **TBD**

Student Growth Measures

20% is based on student growth on State assessments or other comparable measures of student growth (increased to 25% upon implementation of a value-added growth model). Student growth means the change in student achievement for an individual student between two or more points in time. Student growth percentile score shall mean the result of a statistical model that calculates each student's change in achievement between two or more points in time on a State assessment or other comparable measure and compares each student's performance to that of similarly achieving students. Value-added growth score shall mean the result of a statistical model that incorporates a student's academic history and may use other student demographics and characteristics, school characteristics and/or teacher characteristics

to isolate statistically the effect on student growth from those characteristics that are generally not in the teacher's control.

Data that are provided by SED will provide the number of points (out of the possible 20 or 25) toward the composite score a teacher will be awarded for the student growth portion. The state will assign a score of 0-20 points for this subcomponent, which will contribute to the educator's composite effectiveness score using the standards and scoring ranges for this subcomponent as prescribed in regulation.

Assessments will be secure and not disseminated to students prior to the assessment administration.

Student Achievement Measures

20% of the composite effectiveness score is based on locally-selected measures of student achievement that are determined to be rigorous and comparable across classrooms as defined by the Commissioner (decreased to 15% upon implementation of value-added growth model). For purposes of this section:

The following process will be used to determine locally selected measures of student achievement:

1. Common grade level and / or content area teachers will collaborate to develop and agree on common assessments. The district will provide guidelines to ensure the rigor and validity of the assessments.
2. Common assessments will be submitted to building principals, who will recommend the assessments to the Superintendent or designee for approval. The Superintendent will have the final decision on whether or not an assessment is approved.
3. Beginning in the 2012-13 school year, all assessments must be developed or revised and submitted for approval by the first school day in June.
4. Scoring data from the assessments must be submitted to the building principals by the first day of school in June.
5. The following conversion scale will be used for local assessments:

0 – 54	1
55 - 64	2
64 - 84	3
85 - 100	4

$$\frac{(\# \text{ of students scoring 2, 3, 4} + \# \text{ of students scoring 3, 4}) \times 10}{\# \text{ of students tested}} = 20$$

of students tested

6. Common grade and subject area teachers will review the locally selected measures of student achievement to ensure their continued validity, reliability and appropriateness.
7. The superintendent will provide time during the contractual workday for the purposes of selecting, developing and / or revising local assessments.

Assessments will be secure and not disseminated to students prior to the assessment administration.

Multiple Measures of Effectiveness

The remaining 60% (or 60 out of the total 100 point composite score) of the composite effectiveness score is based on other measures of teacher effectiveness consistent with standards prescribed by the Commissioner in regulation. The *Framework for Teaching* rubric (2007) will be used to evaluate classroom teachers. That rubric is included in the appendix.

In order to support continuous professional growth, 45 of these 60 points shall be based on classroom observations. These observations will provide the evaluator with the data to complete rubric for Domains 2 (Classroom Environment) and 3 (Instruction) on the rubric. For at least one evaluation, a pre and post observation conference will occur, at which time the teacher will provide the evaluator of evidence of Domain 1 on the rubric (Planning and Preparation).

Non-Tenured teachers will receive a minimum of three observations by February 15. Tenured teachers will receive a minimum of two observations during the school year. Teachers may request additional observations. Administrators may also conduct additional observations. The first observation will be announced and will have a pre-conference. The remaining observation or observations may be announced, may have a pre-conference, or may be unannounced. A post-conference will be conducted within four school days of all observations and the teacher will receive a copy of the evaluation. Observations will be averaged to result in a composite score.

The remaining 15 out of the 60 points will be used to assess Domain 4 (Professional Responsibilities) on the rubric. The classroom teacher may prepare a portfolio or collection of evidence that will serve as artifacts for this domain. Any action research, leadership projects, or learning projects may be submitted as evidence for this Domain. Non-tenured teachers will be required to compile a portfolio to show growth during their probationary period.

The following formula will be used to calculate the number of points for the teacher effectiveness composite score (the rubric is a four point rubric) for each domain. The four domain scores are totaled which comprises the number of points (out of 60) for the multiple measures component of the composite score. An individual domain score shall not exceed 15 points.

$$\frac{3.5 (\text{items rated Highly Effective}) + 2.5 (\text{\# of items rated Effective}) + 1 (\text{\# of items rated Developing})}{3 (\text{\# of items scored in the domain})} = x/15 \text{ points}$$

Rubrics

The *Framework for Teaching* rubric (2007) will be used to evaluate classroom teachers.

Professional Development

Professional development objectives for the teacher will be based on the evaluation, in addition to school and/or district priorities.

Timely Provision of Feedback

At least one pre-observation meeting will occur at which time the teacher will present artifacts that pertain to the Planning and Preparation Domain. Following all observations a post-observation meeting will occur at which time Domains 1, 2 and 3 of the rubric will be discussed. The post-observation meeting will occur within four days of the observation. Following the post-conference, teachers may provide written comments to be attached to the observation form. The summative evaluation, including composite effectiveness score, will be provided to the teacher by the last day of attendance for the teacher, provided that the student growth measure composite score is available from the State Education Department.

Evaluator Training

The superintendent will ensure that all evaluators have been trained and that all lead evaluators have been trained and certified in accordance with regulation. The district will utilize BOCES Network Team evaluator training and lead evaluator training and certification in accordance with SED procedures and processes. Lead evaluator training will include training on:

- 1) The New York State Teaching Standards, and their related elements and performance indicators as applicable;
- 2) Evidence-based observation techniques that are grounded in research;
- 3) Application and use of the student growth percentile model and the value-added growth model;
- 4) Application and use of the teacher rubric, including training on the effective application of such rubrics to observe a teacher's practice;
- 5) Application and use of any assessment tools that the school district or BOCES utilizes to evaluate its classroom teachers, including but not limited to, structured portfolio reviews;; professional growth goals, etc.;
- 6) Application and use of any locally selected measures of student achievement used by the district to evaluate its teachers;
- 7) Use of the Statewide Instructional Reporting System;
- 8) The scoring methodology including how scores are generated for each subcomponent and the composite effectiveness score and application and use of the scoring ranges prescribed by the Commissioner for the four designated rating categories used for the teacher's overall rating and their subcomponent ratings; and

The superintendent will ensure that lead evaluators participate in annual training and are re-certified on an annual basis. The BOCES Network Team will be utilized to provide the training and recertification. Any individual who fails to achieve required training or certification or re-certification, as applicable, shall not conduct or complete evaluations.

Teacher Training

All professional staff subject to the district APPR will be provided with training on the evaluation system that will include a review of the content and use of the evaluation system as well as reporting forms and the procedures to be followed consistent with the approved APPR and contractual provisions. All training will be conducted prior to the implementation of the APPR process for current staff. Training will be conducted at the beginning of each subsequent school year for newly hired staff.

Data Linkage

Working with the Central New York Regional Information Center, the district will provide all of the data elements described by SED. Data will be submitted to the SED through the portal each year. This includes information a comprehensive course catalog, assessment scores, student enrollment information, and evaluation component scores. Teachers will have the opportunity to verify this data in order to ensure accurate reporting.

Teacher Improvement Plans

If a teacher's performance is evaluated as "ineffective" or "developing", the supervisor shall be required to develop a Professional Improvement Plan in consultation with the staff member. Such Plan will be shared with and implemented within ten days of the start of the school year within which the Plan will be applied. The Plan shall include, but not be limited to, an identification of the areas in need of improvement, a timeline for achieving improvement, suggestions for improvement, support to be provided, and measurable outcomes to be evaluated.

The plan will: **To Be Negotiated by the District and the Association no later than June 1, 2012.**

Appeals

The following procedures are the means for initiating, reviewing and resolving any and all challenges and appeals related to a teacher or principal's performance review, and/or improvement plan:

A teacher who receives an effectiveness composite score rating of "ineffective" or "developing" may appeal his or her performance review. Ratings of "highly effective" or "effective" cannot be appealed.

A teacher may appeal the school district's adherence to standards and methodologies required for such reviews, adherence to applicable regulations of the commissioner of education, and compliance with the procedures for the conduct of performance reviews set forth in the annual professional performance review plan, and /or the substance of the Annual Performance Review.

Only tenured teachers may file an appeal. Non-tenured teachers will have the right to add a response to the annual evaluation, which will be kept in his/her personnel file with the annual evaluation.

A teacher may not file multiple appeals regarding the same performance review. All grounds for appealing a particular performance review must be raised within the same appeal. Any grounds not raised at the time the appeal is filed shall be deemed waived.

Appeals concerning a teacher's performance review must be filed no later than fifteen (15) calendar days of the date when the teacher receives it. A teacher wishing to initiate an appeal must submit, in writing, to the Superintendent a detailed description of the precise point(s) of disagreement over his or her performance review, along with any and all additional documents or written materials that he or she believes are relevant to the resolution of the appeal. Any such additional information not submitted at the time the appeal is filed shall not be considered in the deliberations related to the resolution of the appeal. Under this appeals process the teacher bears the burden of proving by substantial evidence the merits of his or her appeal.

Within 15 calendar days of the receipt of an appeal, the school district staff members who issued the performance review must submit a detailed written response to the appeal. The response must contain all additional documents

The decision will be rendered by a five person review panel for an appeal concerning a teacher's performance review. The panel will be comprised of the superintendent or designee, two district lead evaluators (one to be selected by the Superintendent and one to be mutually agreed upon by the Superintendent and the CTA president), the Chittenango Faculty Association President or designee and one teacher selected by the CTA President. The panel shall issue a written decision on the merits of the appeal no later than thirty (30) calendar days from the date when the teacher filed his or her appeal. In the event that the review panel cannot reach a decision, the Superintendent will issue a final decision.

The decision of the panel shall be final and an appeal shall be deemed completed upon the issuance of that decision. The decision of the panel shall not be subject to any further appeal. Appeals related to the issuance of an improvement plan are limited to issues regarding compliance with the requirements prescribed in applicable law and regulations for the issuance of improvement plans, and must be initiated within fifteen (15) calendar days of the alleged failure of the District to comply with such requirements.

These appeals provisions shall not be construed as exclusive of the rights to appeal available under the provisions of the collective bargaining agreement.